

**MINUTES OF
FAIRFAX COUNTY PLANNING COMMISSION
WEDNESDAY, NOVEMBER 9, 2016**

PRESENT: Peter F. Murphy, Springfield District
Frank A. de la Fe, Hunter Mill District
James R. Hart, Commissioner At-Large
Timothy J. Sargeant, Commissioner At-Large
Ellen J. Hurley, Braddock District
John C. Ulfelder, Dranesville District
James T. Migliaccio, Lee District
Julie M. Strandlie, Mason District
Karen A. Keys-Gamarra, Sully District
Janyce N. Hedetniemi, Commissioner At-Large

ABSENT: Earl L. Flanagan, Mount Vernon District
Kenneth A. Lawrence, Providence District

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The meeting was called to order at 8:17 p.m., by Chairman Peter F. Murphy, in the Board Auditorium of the Fairfax County Government Center, 12000 Government Center Parkway, Fairfax, Virginia 22035.

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COMMISSION MATTERS

Chairman Murphy announced that PA 2015-III-FC1, Comprehensive Plan Amendment for Fair Lakes, Fairfax Center, Land Units G, H, and I, had been previously scheduled for public hearing this evening, but noted that this public hearing had been administratively deferred to Wednesday, December 7, 2016.

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Commissioner Ulfelder: I MOVED THAT THE PLANNING COMMISSION DEFER THE DECISION ONLY FOR RZ 2015-DR-009, GULICK GROUP, INC., TO A DATE CERTAIN OF NOVEMBER 30, 2016, WITH THE RECORD REMAINING OPEN FOR WRITTEN AND ELECTRONIC COMMENTS.

Commissioner Hart seconded the motion, which carried by a vote of 10-0. Commissioners Flanagan and Lawrence were absent from the meeting.

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ORDER OF THE AGENDA

Secretary Hart established the following order of the agenda:

1. SEA 85-C-069-03 – CHICK-FIL-A, INC. (Sully District)
2. PA 2016-III-FC1 – COMPREHENSIVE PLAN AMENDMENT (FAIRFAX CENTER AREA, LAND UNITS O, SUB UNIT 01) AND PA 2013-III-FC1 (B) – COMPREHENSIVE PLAN AMENDMENT (FAIRFAX CENTER AREA SUBURBAN CENTER STUDY, PHASE II) (Springfield District)

This order was accepted without objection.

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SEA 85-C-069-03 – CHICK-FIL-A, INC. – Appl. under Sects. 7-607 and 9-014 of the Zoning Ordinance to amend SE 85-C-069 previously approved for a fast food restaurant with drive-through in a highway corridor overlay district to permit modifications to site design and development conditions for the fast food restaurant. Located at 13962 Lee Jackson Memorial Hwy., Chantilly, 20151, on approx. 13.01 ac. of land zoned C-8, HC, and WS. Tax Map 34-4 ((1)) 16C. SULLY DISTRICT. PUBLIC HEARING.

Sheri Akin, Applicant's Agent, McGuireWoods LLP, reaffirmed the affidavit dated October 7, 2016.

There were no disclosures by Commission members.

Carmen Bishop, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff report, a copy of which is in the date file. She noted that staff recommended approval of SEA 85-C-069-03.

Ms. Akin gave a brief presentation wherein she explained the following:

- The subject application would permit the construction of a Chick-Fil-A restaurant within an existing commercial development on a parcel that was currently developed with a Kentucky Fried Chicken restaurant;
- The subject application would also permit a modification of the drive-through lanes, which would be extended towards the slope of the existing pond located to the west of the site;
- The extension of the drive-through would minimize the proposal's impact on the existing commercial development and the parking provisions that served this development;
- The applicant had conducted a geotechnical analysis prior to the public hearing and this analysis had been approved by the Department of Public Works and Environmental Services;

- The applicant had coordinated with staff to implement policies that would ensure efficient traffic flow through the drive aisle;
- The proposal would install pedestrian connections and wayfinding signage within the existing commercial development to improve vehicular circulation;
- The proposed Chick-Fil-A restaurant was consistent with the existing C-8 zoning of the surrounding commercial development and could be accommodated under the existing floor area ratio of this development;
- The applicant would utilize additional policies to facilitate the serving of customers at the proposed Chick-Fil-A restaurant;
- The revised development conditions dated November 8, 2016 included a condition that would permit deliveries by large trucks when the restaurant was closed and this condition was intended to mitigate the impact of such deliveries on the day-to-day operations of the restaurant;
- The Sully District Land Use Committee had expressed support for the subject application, but had also requested that additional provisions be included to ensure that vehicles did not utilize the one-way portions of the drive aisle;
- The applicant addressed the Sully District Land Use Committee's concerns by expanding the landscaping island on the northern portion of the site and installing a stop bar to discourage vehicles from utilizing this aisle; and
- The provisions of the drive aisle would be subject to additional evaluation at the time of site plan review.

(A copy of the revised development conditions is contained within the date file.)

When Commissioner Hurley asked how many vehicles the proposed drive-through lanes could accommodate, Ms. Akin indicated that these lanes had sufficient space for approximately 20 vehicles.

Commissioner Ulfelder asked for additional information on the hanging baskets that would be incorporated into the design of the proposed Chick-Fil-A restaurant. Ms. Akin pointed out the location of these features, adding that they would be installed in conjunction with fencing and pillars. A discussion ensued between Commissioner Ulfelder and Ms. Akin regarding the appearance and location of these features, as well as additional landscaping provisions throughout the site wherein Ms. Akin stated that the applicant would remove six existing trees from the site but would subsequently install 12 new trees.

When Commissioner Ulfelder asked for additional information regarding the number of vehicles that could be accommodated within the drive-through, Ms. Akin said that the drive-through

could accommodate approximately 20 vehicles and noted that the applicant would utilize policies that ensured a steady flow of vehicles through the drive-through.

Referring to Page 6 of the original staff report dated October 25, 2016, Commissioner Ulfelder expressed concern regarding the language staff utilized in the analysis of the proposal's compliance with the special exception standards prescribed by the Zoning Ordinance. He suggested staff utilize language that did not include terms such as "egregious."

A discussion ensued between Commissioner Keys-Gamarra and Ms. Akin, with input from Ms. Bishop, regarding the circulation of vehicles throughout the site, the location of drive-through, and the location of the curb extension wherein Ms. Akin explained that the curb extension would become narrow an egress point of the site to approximately 15 feet and the intent of narrowing this egress point was to discourage vehicles from utilizing it to enter the site.

When Commissioner Keys-Gamarra asked for additional information on the location of the trees that would be installed on the subject property under the proposal, Ms. Akin pointed out the location of these trees on Sheet 6 of the plat included in the original staff report, adding that additional shrubs would be planted throughout the site, as suggested by staff. Commissioner Keys-Gamarra then asked whether the existing trees located along Route 50 would be removed. Ms. Akin indicated that these trees would not be removed.

When Commissioner Strandlie expressed concern regarding the ability for vehicles to back out from the drive-through if necessary, Ms. Akin indicated that there would be sufficient space within this drive aisle for these vehicles to back out. She also acknowledged that other sites that contained a Chick-Fil-A restaurant had utilized designs that hindered the ability for vehicles to back out from a drive aisle, but noted that these sites utilized older designs and the drive-through design utilized in the proposal would sufficiently address this issue. A discussion ensued between Commissioner Keys-Gamarra and Commissioner Strandlie, with input from Ms. Akin, regarding the difficulty of navigating drive-throughs at other sites, the designs that would be utilized for the proposal, and the policies utilized by the applicant to ensure an efficient flow of vehicles through the drive-through wherein Ms. Akin reiterated that the drive-through for the proposed Chick-Fil-A restaurant on the site would utilize sufficient space to ensure efficient vehicular circulation.

Commissioner Keys-Gamarra asked for additional information on the design of the drive aisle that would be utilized for the proposed Chick-Fil-A restaurant on the site. Vanessa Holt, Transportation Planning Division, Fairfax County Department of Transportation, stated that the drive aisle would be approximately 23 feet wide. Ms. Akin reiterated that the purpose of extending the curb to narrow the egress point to 15 feet wide to ensure that it was utilized as a one-way access, adding that the proposed landscaping provisions would improve the traffic circulation and pedestrian safety on the site. Commissioner Keys-Gamarra then said she supported additional evaluation of these features at the time of site plan review.

Chairman Murphy called for speakers from the audience, but received no response; therefore, he noted that a rebuttal statement was not necessary. There were no further comments or questions from the Commission and staff had no closing remarks; therefore, Chairman Murphy closed the public hearing and recognized Commissioner Keys-Gamarra for action on this case.

(Start Verbatim Transcript)

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Chairman Murphy: Public hearing is closed. Recognize Ms. Keys-Gamarra.

Commissioner Keys-Gamarra: Mr. Chairman, I believe we – the applicant already confirmed the – well, let me just go through. Mr. Chairman, I request that the applicant confirm, for the record, their agreement to the proposed development conditions dated November 8th, 2016.

Chairman Murphy: Please come to the microphone. Identify yourself for the record and confirm that fact for us please.

Sheri Akin, Applicant's Agent, McGuire Woods LLP: Sheri Akin on behalf of Chick-Fil-A and we do agree to the development conditions dated November 7th?

Chairman Murphy: 8th.

Commissioner Keys-Gamarra: It says 8th on here.

Ms. Akin: 8th. Yeah.

Commissioner Keys-Gamarra: Okay. All right, thank you.

Chairman Murphy: Thank you.

Commissioner Keys-Gamarra: All right then, Mr. Chair, I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF SEA 85-C-069-03, SUBJECT TO DEVELOPMENT CONDITIONS DATED NOVEMBER 8TH, 2016.

Commissioner Hedetniemi: Second.

Chairman Murphy: Seconded by Ms. Hedetniemi. Is there a discussion of the motion? All those in favor of the motion to recommend to the Board of Supervisors that it approve SEA 85-C-069-03, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Keys-Gamarra: And I FURTHER MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF A MODIFICATION OF THE LOADING SPACE REQUIREMENT OF SECTION 11-200 OF THE ZONING ORDINANCE FOR THE PROPOSED FAST-FOOD RESTAURANT, AS CONDITIONED.

Chairman Murphy: Seconded by...

Commissioner Strandlie: Second.

Chairman Murphy: Ms. Strandlie. Is there a discussion of that motion? All those in favor of the motion, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Keys-Gamarra: That's it.

Chairman Murphy: Thank you very much.

(Each motion carried by a vote of 10-0. Commissioners Flanagan and Lawrence were absent from the meeting.)

(End Verbatim Transcript)

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The final public hearing was in the Springfield District; therefore, Chairman Murphy relinquished the Chair to Vice Chairman de la Fe.

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PA 2016-III-FC1 – COMPREHENSIVE PLAN AMENDMENT
(FAIRFAX CENTER AREA, LAND UNITS O, SUB UNIT 01) –
To consider proposed revisions to the Comprehensive Plan for Fairfax County, VA, in accordance with the *Code of Virginia*, Title 15.2, Chapter 22. This Amendment propose revisions to Fairfax Center Area-wide and Land Unit guidance. The Fairfax Center Area comprises the area generally extending west of the City of Fairfax to Stringfellow Road, from Lee-Jackson Memorial Highway (Route 50) to Lee Highway (Route 29) in the Braddock, Providence, Springfield, and Sully Supervisor Districts. The area is planned for a mix of higher-density residential, office, retail, and government uses. The amendments will consider revisions to ensure consistency with current policy and practice, reflect implementation, and make editorial and organizational changes, including reorganizing the land units and illustrating the baseline land use recommendations on the Comprehensive Land Use Plan Map. The amendments also would revise the implementation strategy for the Fairfax Center Area to remove the intermediate development level and Development Elements.

A number of site-specific land use and intensity recommendations are proposed to be amended within the Suburban Center portion of

the Fairfax Center Area. Land use and intensity recommendations are proposed to be amended as follows. Tax Map parcel 56-1 ((1)) 11H (4531 and 4601 West Ox Rd) is currently planned for institutional use up to .15 FAR at the overlay level. The amendments will consider an option for residential use up to 8 du/ac. Tax Map parcels 46-3 ((1)) 15A1, 15C (3901 Fair Ridge Dr) are currently planned for office and institutional uses up to .25 FAR at the overlay level with an option for 100 units of elderly housing. The amendments will consider modifying the existing option up to 0.35 FAR and increasing the elderly housing up to 200 units, or residential use 8-12 du/ac. Tax Map parcels 46-4 ((1)) 33A, 33B (11244 Waples Mill Rd, 11244 A-J Waples Mill Rd) are currently planned for office use up to .50 FAR at the overlay level. The amendments will consider adding Plan guidance to allow for the addition of cultural resources, such as a museum. Tax Map parcel 46-3 ((1)) 45, 46, 47, 48, 49, 50 (4100-4108 Legato Rd) are currently planned for office use up to 1.0 FAR at the overlay level. The amendments will consider an option for residential use up to 2.5 FAR. Tax Map parcel 56-1 ((1)) 35 (12100 Lee Hwy) is currently planned for residential use at 6 du/ac at the intermediate level and is not recommended to develop at the overlay level. The amendments will consider modifying the overlay level for residential use up to 12 du/ac. Recommendations relating to the transportation network may also be modified. SPRINGFIELD DISTRICT.

PA 2013-III-FC1 (B) – COMPREHENSIVE PLAN
AMENDMENT (FAIRFAX CENTER AREA SUBURBAN
CENTER STUDY, PHASE II) – To consider proposed revisions to the Comprehensive Plan for Fairfax County, VA, in accordance with the *Code of Virginia*, Title 15.2, Chapter 22. This Amendment propose revisions to Fairfax Center Area-wide and Land Unit guidance. The Fairfax Center Area comprises the area generally extending west of the City of Fairfax to Stringfellow Road, from Lee-Jackson Memorial Highway (Route 50) to Lee Highway (Route 29) in the Braddock, Providence, Springfield, and Sully Supervisor Districts. The area is planned for a mix of higher-density residential, office, retail, and government uses. The amendments will consider revisions to ensure consistency with current policy and practice, reflect implementation, and make editorial and organizational changes, including reorganizing the land units and illustrating the baseline land use recommendations on the Comprehensive Land Use Plan Map. The amendments also would revise the implementation strategy for the Fairfax Center

Area to remove the intermediate development level and
Development Elements.

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Commissioner Sargeant disclosed that he worked for Dominion Virginia Power and indicated that there were ongoing discussions regarding certain parcels that involved this company; therefore, he would recuse himself from the public hearing.

Commissioner Murphy announced that, due to the various complexities of the proposed amendments and the motion he intended to make, he would defer the decision only for these amendments at the conclusion of the public hearing to a date certain of November 16, 2016.

Meghan Van Dam, Planning Division, Department of Planning and Zoning, presented the staff report, a copy of which is in the date file. She noted that staff recommended adoption of PA 2016-III-FC1 and PA 2013-III-FC1 (B).

Commissioner Murphy said that, during the review of the proposed amendments, staff and the citizen-led Fairfax Center Area Study Phase II Working Group had coordinated to compile a checklist that would be prescribed to prospective applicants pursuing developments, which would extend from the baseline recommendations to the Overlay District. He then asked for additional information on the status of this checklist. Ms. Van Dam explained that the design elements included in this checklist had been evaluated by staff and the Working Group to determine how it had been utilized during the development review process and its overall effectiveness. She then stated that staff had concluded that there were overlapping provisions between the development elements and the areawide guidance for the subject property, adding that such provisions did not provide sufficient flexibility for infill developments. Ms. Van Dam said that staff supported retaining certain design elements from the checklist, adding that it favored the removal of other elements that could be more appropriately addressed by the areawide guidance policies prescribed by the County. Commissioner Murphy then asked whether these design elements would change when developments extended to the scope of the Overlay District. Ms. Van Dam said that the applications of these elements would be administered on a case-by-case basis, noting that guidance for issues such as environment provisions would be addressed at multiple levels. She concluded by saying that such guidance would be consistent with countywide policies.

Vice Chairman de la Fe called the first listed speaker and recited the rules for public testimony.

Francis McDermott, 1751 Pinnacle Drive, Suite 1700, McLean, said he was speaking on behalf of Merrifield Garden Center, which was located within the subject property and identified as Parcel 35 in Sub-Unit H1. He then stated that he supported the Working Group's recommendations for this portion of the subject property, as articulated in the staff report. Mr. McDermott gave a presentation wherein he explained the following:

- The property containing the Merrifield Garden Center was located to the west of Legato Road and north of Lee Highway;
- The Merrifield Garden Center site had been subject to a Comprehensive Plan Amendment in the year 2000 and a rezoning in May 2002;
- The development to the north of the Merrifield Garden Center site included multi-family residential units consisting of stacked townhouses;
- The Merrifield Garden Center site was currently divided into two portions, one of which was zoned C-5 and the other of which was zoned R-1;
- The portion of the Merrifield Garden Center zoned C-5 permitted approximately 10,000 square feet of retail uses and these uses would be accessible from Lee Highway;

- The portion of the Merrifield Garden Center zoned R-1 abutted an existing residential development to the north and while efforts were made to incorporate this portion into the abutting development, such efforts were unsuccessful due to the presence of the C-5 portions of the site;
- The portion of the Merrifield Garden Center zoned C-5 contained an active commercial development and was accessible by vehicle from Lee Highway;
- The property owner of the Merrifield Garden Center planned to redevelop the site with a residential development that would include both stacked townhouse units and traditional townhouse units for a total of approximately 85 units;
- The access provided by the existing residential development to the north of the Merrifield Garden Center site had been installed with expectation that Merrifield Garden Center site would be redeveloped, which ensured that an additional access from Lee Highway was unnecessary;
- The property owner of the Merrifield Garden Center site did not favor staff's recommendation to limit the density of the site to six dwelling units per acre because the owner did not intend to consolidate the site into one zoning and permitting additional density would ensure a more consistent transition towards lower-density residential development from north to south;
- The property owner of the Merrifield Garden Center site favored permitting a density of 10 dwelling units per acre and this density was consistent with that of the existing residential development to the north;
- The property owner of the Merrifield Garden Center site also favored language in the proposed Amendment that would permit an alternative option for redeveloping this site with an assisted living facility and an independent living facility; and
- The access for a redevelopment on the Merrifield Garden Center site would be located along Legato Road and this access would not interfere with the existing emergency access lane that was utilized by the fire station located to the east.

(A copy of Mr. McDermott's presentation is in the date file.)

When Commissioner Hurley asked for additional information on the emergency access lane utilized by the fire station located to the east of the Merrifield Garden Center site, Mr. McDermott explained that this access lane was an angled, one-way lane that could not be utilized by vehicles traveling northbound on Legato Road. He added that this access lane utilized signage that identified it as an emergency access lane and use by non-emergency vehicles was prohibited. A discussion ensued between Commissioner Hurley and Mr. McDermott regarding

the route vehicles would utilize to access the Merrifield Garden Center site if it were redeveloped with an assisted and independent living facility wherein Mr. McDermott pointed out that the primary access would be located along Legato Road, adding that the existing residential development to the north of this site had appropriate provisions for interparcel access to such a redevelopment.

Commissioner Murphy acknowledged the presence of Vincent Picciano, 11788 Rockaway Lane, Fairfax, who had been the chairman of the Working Group. He then encouraged Mr. Picciano to comment on the proposed Amendment and the Working Group's recommendations after the public testimonies had concluded.

When Commissioner Murphy asked for additional information on the Working Group's analysis of the Merrifield Garden Center site, Mr. Picciano indicated that the Working Group supported Mr. McDermott's request that the density of the site permit 10 dwelling units per acre, which could be increased to 12 to permit the assisted living facility option. Mr. McDermott added that the Working Group's support of this density had been unanimous. In addition, he said that the Working Group had expressed concern regarding the inclusion of language in the proposed Amendment that would encourage the removal of the existing C-5 commercial development.

Commissioner Hart asked for additional information regarding the different recommendations supported by staff compared to those supported by Working Group for the Merrifield Garden Center site. Ms. Van Dam explained that staff favored retaining the existing recommendations for this site prescribed by the Comprehensive Plan, which would permit a residential development at a density of six dwelling units per acre if the residential and commercial parcels on this site were not consolidated. She then indicated that the Working Group favored permitting a residential development at a higher density. A discussion ensued between Commissioner Hart and Ms. Van Dam regarding the applicability of the existing language in the Comprehensive Plan that recommended the consolidation of the parcels on the Merrifield Garden Center site and the existing residential development to the south of these parcels wherein Ms. Van Dam explained that the Comprehensive Plan recommended that the existing commercial development on this site not be expanded and the recommendation of six dwelling units per acre was intended to serve as a mechanism for tapering the density of the development's in the Fairfax Center area from north to south.

David Bishop, 4107 Halsted Street, Fairfax, representing the Centerpointe Town Homes Homeowners Association, described the Centerpointe community, which was located adjacent to Centerpointe Church. He then noted that the guidelines for redeveloping the Centerpointe Church site were included in Submission SS4, as shown in Attachment 3 of the staff report. Mr. Bishop commended the Centerpointe Church for its service to the community, but said he supported the church's efforts to relocate. He then said that he supported the redevelopment recommendations for this site articulated in the proposed Amendment, but requested that this language be revised to favor preserving the existing floor-area ratio (FAR) at this site to ensure it remained consistent with the character of the Centerpointe community. Mr. Bishop explained that he favored preserving the existing floor area ratio (FAR) because the recommended 1.25 FAR

would permit a development that was not compatible with the surrounding residential developments. He also noted the limited size of the church site, which was approximately 3.85 acres, and a 1.25 FAR would not permit sufficient amounts of open space for new residents, noting the limited availability of such open space in the surrounding area. In addition, Mr. Bishop suggested removing the reference to multifamily residential units in the proposed amendment to permit greater flexibility in redeveloping the church site and expressed support for utilizing modern urban architecture for such a redevelopment to ensure compatibility with the surrounding development. (A copy of Mr. Bishop's statement is in the date file.)

Commissioner Murphy commended Mr. Bishop for his testimony and his participation at the Springfield District Land Use Committee. He then explained that the proposed Amendments were part of a comprehensive development process, pointing out that provisions such as FAR, buffering, and screening would be finalized during the rezoning process. He added that these provisions would also be subject to approval by the Board of Supervisors.

Referring to the last paragraph on Page 84 of the staff report, Commissioner Hart asked whether this text pertained to the Centerpointe Church site that Mr. Bishop referenced in his testimony. Ms. Van Dam indicated that this text was referring to this particular site. A discussion ensued between Commissioner Hart and Ms. Van Dam regarding the manner in which the sites were organized and referenced in the staff report wherein Commissioner Hart suggested that staff provide a guide to the Commission to facilitate referencing sites with the appropriate Plan text and Ms. Van Dam indicated that a chart would be provided during the deferral period.

Commissioner Hurley asked whether the Working Group concurred with Mr. Bishop's comments regarding the recommended development for the Centerpointe Church site. Mr. Picciano stated that the Working Group supported the staff's recommendation for the subject property.

A discussion ensued between Commissioner Murphy and Ms. Van Dam regarding the documentation provided by staff in the notification letters sent to the affected property owners for these amendments, the information included in these letters, and the manner in which this information articulated the recommendations for the relevant land units within the subject property wherein Ms. Van Dam stated that separate materials were compiled to organize the text for the affected land units and Commissioner Murphy concurred with Commissioner Hart's suggestion that these materials be submitted to the Commission during the deferral period.

Commissioner Hart requested that staff cite page numbers within the staff report to reference specific land units to facilitate locating language associated with these units.

Gregg Ruff, 6905 Rockledge Drive, Suite 800, Bethesda, representing the Northern Virginia Industry Association, said that he concurred with the recommendations articulated in the proposed amendment, but expressed concern regarding the inclusion of language pertaining to stormwater management because such language would create additional requirements beyond those prescribed by the Public Facilities Manual. He then suggested the following revisions:

- On the third bullet on Page 61 of the staff report, remove the second and third sentences that recommended contributions to one or more projects on neighboring sites located within the watershed;
- On the fourth bullet on Page 61 of the staff report, remove the final sentence that recommended that stormwater management features be sized to an extent that would be optimized for future development on neighboring sites;
- On the fifth bullet on Page 61, revise the language that recommends that the stormwater management goals for a development emphasize the reduction of total runoff volumes in favor of language the recommends a reduction in peak flow; and
- On the first bullet on Page 61, remove references to runoff volumes in the last sentence.

A discussion ensued between Commissioner Murphy and Mr. Ruff regarding the specific details of the requested revisions to the proposed amendment wherein Commissioner Murphy requested that Mr. Ruff submit written documentation articulating revisions during deferral period.

Vice Chairman de la Fe called for speakers from the audience.

Elizabeth Baker, 2200 Clarendon Boulevard, Suite 1300, Arlington, representing Walsh, Colucci, Lubeley & Walsh, PC, said she was speaking on behalf of the respective property owners of the Fair Oaks Church and the Centerpointe Church, which were located within the subject property. She stated that she supported the recommendations of staff and the Working Group for the Fair Oaks Church. Ms. Baker then said that while she supported staff and the Working Group's recommendation for the Centerpointe Church, she requested that the word "multifamily" be removed from the language in the proposed amendment because such a revision would permit greater flexibility in evaluating alternative forms of residential development on the site. She added that the Springfield District Land Use Committee supported this revision. In addition, Ms. Baker asked for additional clarification on the fourth paragraph on Page 52 of the staff report, which read, "Sidewalks and pedestrian facilities should be buffered from the roadway using landscaping amenity panels to create a comfortable environment for the pedestrian." She then explained that she did not oppose this language, but requested that this language be clarified to ensure that this recommendation applied to both planned and existing pedestrian paths.

A discussion ensued between Commissioner Murphy and Ms. Baker regarding the specific details of the requested revisions for the proposed amendment wherein Commissioner Murphy asked that Ms. Baker submit these revisions to staff during the deferral period.

When Commissioner Murphy asked Ms. Baker to comment on Mr. Bishop's request to modify the FAR recommendations for the Centerpointe Church site articulated in the proposed amendment, Ms. Baker stated that she would coordinate with Mr. Bishop on this property to address his concerns for redeveloping this site.

Commissioner Hart asked whether the requested revision to Page 52 regarding the buffering for sidewalk and pedestrian facilities was necessary, pointing out that such features would be evaluated during a review of an application for a modification on a site. Ms. Baker explained that her requested revision would provide greater assurance that these features would be evaluated for various applications, including those such as proffered conditioned amendments where the modifications to a site would be minor. In addition, she said that the revision would ensure sufficient buffering for planned sidewalks throughout the subject property.

Justin Littman, 12705 Sabastian Drive, Fairfax, expressed concern that the reduction of development levels articulated in the proposed amendment would reduce the flexibility of sites within the Fairfax Center area to redevelop.

Addressing Mr. Littman's concerns, Ms. Van Dam explained that the guidelines of the intermediate development level would be integrated into other levels and the guidelines for each existing level would be preserved under the proposed amendment. A discussion ensued between Mr. Littman and Ms. Van Dam regarding how the development levels for the subject property would be organized under the proposed amendment wherein Ms. Van Dam indicated that the existing flexibility for developing sites within the provisions prescribed by these development levels would be maintained.

There being no more speakers, Vice Chairman de la Fe called for closing remarks from Ms. Van Dam, who deferred to Mr. Picciano for further comments on the proposed Amendment. Mr. Picciano then explained the following:

- The Working Group began evaluating the proposed amendment in July 2015 and conducted multiple meetings, the last of which was held in October 2016;
- The proposed amendment was part of a multi-phase effort to evaluate and finalize plans for development throughout the Fairfax Center area;
- The subject property encompassed the Sully, Springfield, Braddock, and Providence Districts and Supervisors from each district had appointed representatives to the Working Group to evaluate the proposed amendment;
- The Working Group coordinated with staff in evaluating the sites referenced within the proposed amendment;
- The Working Group's efforts were consistent with the goals prescribed by the Fairfax Forward program to provide opportunities for citizen input on future development within certain areas of the County;

- The Working Group evaluated the various revisions articulated in the proposed amendment;
- The Working Group did not concur with every one of staff's recommendations for the proposed amendment and the Working Group's alternative recommendations were articulated throughout the staff report;
- The Fairfax Center area included numerous site-specific challenges due to the presence of large government facilities and the potential for future transit stations that would be installed in conjunction with an expansion for the existing Orange Line Metrorail;
- The Working Group favored development throughout the Fairfax Center area that reflected its unique urban character;
- The Working Group utilized a list of guiding principles in studying the various parcels referenced throughout the proposed amendment and these principles included emphasizing development around government facilities and potential future transit stations;
- The Working Group favored development in the Fairfax Center area that included pedestrian-friendly provisions that would ensure that this development would be walkable;
- The Working Group supported provisions to include multi-modal transportation methods throughout the Fairfax Center area that would support vehicles, bicycles, and public transportation;
- The Working Group favored provisions that emphasized addressing environmental concerns when redeveloping sites throughout the Fairfax Center area;
- The Working Group coordinated with prospective applicants on planned developments in the Fairfax Center area and evaluated the feasibility of these developments; and
- The Working Group did not concur with staff's recommendations for the Merrifield Garden Center, but did favor the recommendations articulated by Mr. McDermott to permit a maximum density of 10 dwelling units per acre for a residential development and 12 dwelling units per acre for a development that included an assisted living facility.

In conclusion, Mr. Picciano commended staff and citizens for their coordination with the Working Group.

Answering questions from Commissioner Hurley, Mr. Picciano said the following:

- The Working Group concurred with staff's recommendation for a maximum 1.25 FAR for the Centerpointe Church site;
- The Working Group had not evaluated the concerns articulated by Mr. Ruff regarding the stormwater management guidelines articulated in the proposed amendment, but indicated that the Working Group concurred with the standards favored by staff; and
- The Working Group had not evaluated Ms. Baker's request to remove the term "multifamily" from the recommendations for the Centerpointe Church site, but stated that the Working Group favored retaining the existing language.

There were no further comments or questions from the Commission; therefore, Chairman Murphy closed the public hearing and recognized Commissioner Murphy for action on these items.

(Start Verbatim Transcript)

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Vice Chairman de la Fe: Public hearing is closed. Mr. Murphy.

Commissioner Murphy: Thank you, Mr. Chairman. First, I would again like to thank Vince Picciano for chairing – it's been said before – I'll say it again and get it on the record – for chairing the working group through these – these meetings that were very detailed and very demanding and time is a very precious commodity and you gave of your time and talent. And we really appreciate doing that for us and, also, for being here this evening and commenting on the applications.

Vincent Picciano, 11788 Rockaway Lane, Fairfax: Thank you very much.

Commissioner Murphy: I would also like to thank our speakers who came in tonight, and especially those who are – and also those, some of whom were the same, who came to our Land Use Committee Meeting and got a feel for this process because I'm sure, for some of you, this is the first time you've been to a Land Use Committee meeting where we were discussing a Comprehensive Plan, which could be the prelude to rezoning applications filed in your neighborhoods. And it's good to find out what's going on in your neighborhoods when the Plan Amendments are presented to the Planning Commission and the Board of Supervisors and not wait till the rezoning is filed. So I appreciate your coming tonight. I also want to thank Megan Van Dam, who does a great job of leading the staff troop in these endeavors, and Ken Sorenson. And in absence here, because she went another route and is not on the staff anymore, Kim Rybold, who took an active part in Fairfax Forward in the evaluation of these – these applications. So, as I mentioned earlier, we have some – something to chew on with some of the citizens and speakers are going to submit their comments to our staff to be circulated to the

Planning Commission. And I also – as said – I’ve said before, but I’ll say it again – I’m going to defer decision only on this evening because the draft motion was just received tonight and I want the Commission to get a chance to – to look at it. So in light of these things, I MOVE THAT THE PLANNING COMMISSION DEFER DECISION ONLY ON PLAN AMENDMENT 2013-III-FC1 (B) AND 2016-III-FC1 TO A DATE CERTAIN OF NOVEMBER 16TH, WITH THE RECORD REMAINING OPEN FOR COMMENT.

Commissioner Hart: Second.

Vice Chairman de la Fe: Seconded by Mr. Hart. Any discussion? Hearing and seeing none, all those in favor, please signify by saying aye.

Commissioner: Aye.

Vice Chairman de la Fe: Opposed? Motion carries. Thank you very much. The motion carried by a vote of 9-0. Commissioner Sargeant recused himself from the public hearing. Commissioners Flanagan and Lawrence were absent from the meeting.

(End Verbatim Transcript)

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At the conclusion of the case, Chairman Murphy resumed the Chair.


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The meeting was adjourned at 9:51 p.m.
Peter F. Murphy, Chairman
James R. Hart, Secretary

Audio and video recordings of this meeting are available at the Planning Commission Office, 12000 Government Center Parkway, Suite 330, Fairfax, Virginia 22035.

Minutes by: Jacob Caporaletti

Approved on: May 4, 2017



John W. Cooper, Clerk to the
Fairfax County Planning Commission

